

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

MAY 4, 2009

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present:

Chairman Harold Sanger
Steve Lichtenfeld, Aldermanic Representative
Craig Owens, City Manager
Jim Liberman
Marc Lopata
Scott Wilson
Ron Reim

Absent:

None

Also Present:

Catherine Powers, Director of Planning & Development Services
Jason Jaggi, Planner

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off.

MINUTES

The minutes of the April 6, 2009 meeting were presented for approval. The minutes were approved, after having been previously distributed to each member.

SITE PLAN REVIEW/ARCHITECTURAL REVIEW - NEW CONSTRUCTION – SINGLE FAMILY RESIDENCE – 135 N. FORSYTH BLVD.

Lauren Strutman, project architect, Dave Welton, civil engineer, Keith Beyersdorfer, builder, and Steve & Toby Chod, owners, were in attendance at the meeting.

Catherine Powers explained that the project consists of a 2-story, 4,220 square foot (excluding future finished basement), approximately 29'-9" in height brick and stone single-family residence with a two-car at grade, rear entry garage. The site measures approximately 10,200

square feet and is located in the Clayton Gardens Subdivision. The plans indicate that the existing impervious coverage is 4,238 square feet, or approximately 41.5% of the site. The new plans show impervious coverage at 4,300 square feet, or 42.2% of the site. The project features a pervious driveway turn-around, which MSD considers at 100% pervious for the purpose of calculating area subject to run-off; therefore, the project has a negative 0.04 cfs. Storm water will be connected to a new manhole and new 12" storm sewer located in an easement at the rear of and between 140 Brighton Way and 141 North Forsyth Blvd. Trash storage is located in an enclosure off the turn-around. The HVAC units are shown on the site plan to be located in the side yard and screened with a wood fence. The HVAC units are 5-feet from the side property line. The applicant will not remove any viable trees as a result of this project. Three (3) caliper inches will be planted. Height mitigation is achieved through the additional side yard setback of 12.8', instead of the required 8.5'. Catherine stated that staff's recommendation is to approve the site plan with the following conditions:

1. To remove pop-up emitters in the front yard and connect those downspouts to the storm sewer.
2. Eliminate any reference to optional "exposed aggregate" and install pervious pavers on the turn-around as shown on the plans.

Ms. Strutman presented the site plan to the members, indicating that the new driveway, which will lead to the lower level garage, will be in the same general location as the existing driveway. She indicated that pursuant to staff's recommendation, they will eliminate the pop up emitters in the front and tie the downspouts to the storm sewer. Ms. Strutman presented a landscape plan, stating that there are no viable trees being removed and three caliper inches to be planted. Ms. Strutman indicated that there is only a .7% increase in coverage and that the clients prefer that the entire driveway be one material (exposed aggregate). She reiterated that the change in coverage is negligible and that a trench drain could be added and piped directly to the storm sewer.

Chairman Sanger asked if there is a water run-off issue with the neighbors.

An unidentified woman in the audience replied "Yes".

Chairman Sanger informed that individual that the Commission would hear her concerns in a few moments.

Catherine Powers stated that staff encourages the use of pervious pavers.

Scott Wilson asked if pervious pavers are not used, if the project will still be within the allowable coverage.

Catherine Powers replied "yes". She stated that if impervious material is used, then the project will most likely not be below cfs as it would be with the use of pervious material.

Ms. Strutman indicated that the project is at 42.2% coverage with an allowable of up to 50% coverage.

Marc Lopata asked if Manhole #2 currently exists.

Mr. Welton replied “no”.

Ron Reim asked if there is an easement.

Catherine Powers replied “yes”.

Marc Lopata asked about water run-off in the front.

Catherine Powers indicated that staff recommends, and the applicant has agreed, to pipe the front downspouts to the storm sewer located at the rear of the property.

Marc Lopata suggested that a 6” trench drain be added if exposed aggregate is allowed.

Ms. Marilyn Schue, 130 Brighton Way, indicated that there is a significant amount of water coming off the driveway which pushes against the retaining wall. She stated that she has a sump pump, but it cannot accommodate heavy rain.

Chairman Sanger asked the solution.

Catherine Powers indicated that there is a new storm sewer that was not there previously.

Jason Jaggi informed the members that this project includes the installation of a new public line.

Chairman Sanger asked if the addition of a trench drain with the use of exposed aggregate is a good solution.

Mr. Welton replied “yes”.

Chairman Sanger indicated that with each new development, better ways to control water are attempted.

Marc Lopata commented that pervious pavers clog over time and that a swale or trench drain should be incorporated even if pervious pavers are used.

Chairman Sanger stated that in this case, the issue is not coverage, but mitigating water run-off.

Mr. Welton indicated that although he is a fan of pervious pavers, long term, it is easier to maintain a trench drain than pervious pavers. He stated that with the exposed aggregate, they could incorporate a swale and trench drain and add another yard drain in the rear of the property.

Marc Lopata stated he likes that idea. He asked if the storm drain is installed pre-construction.

Catherine Powers stated that it is part of construction, but is typically installed before.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve with the following conditions: 1) That the pop-up emitters be removed and those downspouts connected to the storm sewer; 2) That exposed aggregate be permitted provided that a trench drain be installed to tie into the storm system, that an additional yard drain be installed to the west also to tie into the storm system and that a swale be incorporated as well. The motion was seconded by Marc Lopata and unanimously approved by the Commission.

The architectural aspects of the project were now up for review.

Ms. Strutman presented a color rendering to the members.

Samples of the window, mix stone (gray tumble harvest), brick (tan – Richard's Brick), shingle roof and cast stone to be used as trim were presented. Ms. Strutman stated that the house is primarily brick with stone accents. Elevations were presented.

Steve Lichtenfeld commented that the house seems large.

Ms. Strutman stated that it is only 8' wider than the house to the right and the same square footage as the new house at 141 N. Forsyth.

Chairman Sanger asked if the grade is higher than that of surrounding properties.

Ms. Strutman indicated that grade is a bit higher.

Marc Lopata asked if they will be recycling the existing materials.

Mr. Beyersdorfer indicated that the concrete will be recycled, but he is not sure about the shingles.

Marc Lopata informed Mr. Beyersdorfer that Eco Recycling on Page will accept those materials.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted. The motion was seconded by Marc Lopata and unanimously approved by the Board.

Chairman Sanger asked Mr. Beyersdorfer about the construction schedule.

Mr. Beyersdorfer indicated that they hope to demolish by mid June.

OUTDOOR DINING – MOLLY DARCY’S (SEVEN GABLES INN) – 26 NORTH MERAMEC AVENUE

Mr. Michael Watry, Managing Partner, was in attendance at the meeting.

Catherine Powers explained that this request is for an expansion of the existing outdoor dining. The applicant is proposing to operate outdoor dining on the sidewalk area in front of the patio in front of Seven Gables Inn. 16 seats at 4 tables are being requested for this outdoor dining area. The tables will be square with four seats each. The tables and chairs will be black iron. A black iron pedestrian barrier, which will provide approximately 5 feet of clearance, extends the private patio. Catherine noted that staff is concerned that since these are two separate 2 chair tables put together, that patrons may move them apart for greater privacy, thereby relocating the barrier and reducing clearance. Staff recommends approval with the following conditions:

1. That the applicant receive an Outdoor Dining Permit prior to operating the outdoor dining area.
2. That the number of tables be limited to no more than 4 and chairs to no more than 16.
3. That no logos or advertising be located on the umbrellas, if installed at a later date.
4. That a minimum 4 foot clearance must be maintained at all times. If maintaining a 4 foot clearance becomes a problem, the owner agrees to substitute the 2 chair tables with regular 4 chair tables.

Mr. Watry informed the members that there is 12’-9” from the front of the existing patio to the curb and they would like to use a portion of this area to provide additional outdoor dining. He stated they believe this will add to the charm of the area and help the business. He asked if a barrier other than aluminum could be used as aluminum is lightweight, but he will use whatever the City requires.

Jason Jaggi indicated that the City prefers aluminum as it will not rust, but he understands the concern about using aluminum for a long stretch of barrier.

Chairman Sanger asked about the expanded outdoor dining program.

Catherine Powers explained the policy, stating that this is the fifth year that the Board of Aldermen has allowed the expanded outdoor dining.

Ms. Elizabeth Green, 1 Brighton Way, voiced her concern with the expanded outdoor dining. She stated that there is only about 40” between the tree and fence at the former Bistro Alexander location. She stated there is nowhere to walk with the expanded outdoor dining in place

and she has to walk out into the street. She stated more and more, the barriers get pushed out and that it seems as though those barriers are out 365 days/year.

Catherine Powers agreed. She informed the members that before applications are submitted to the ARB for approval, staff checks distances (clearances). She stated additionally that the Public Works Department does not want barriers bolted to the sidewalk.

Chairman Sanger noted that there is no evening personnel to monitor this situation.

Catherine Powers concurred and noted that this problem also happens during the daytime.

Scott Wilson suggested that in the future, if a restaurant violates the 4' clearance regulation more than two times, that their permit be revoked. He asked staff if that can be done.

Catherine Powers replied "yes".

Jason Jaggi indicated that outdoor dining is a constant maintenance issue and that the City attempts to balance the needs of both the pedestrians and the restaurant owners.

Chairman Sanger commented that he has encountered the same problems as Ms. Green mentioned.

Ms. Green asked that Board that sandwich boards (A-frames) not be allowed.

Mr. Watry advised the Board that he was vigilant when he was with Miso on Meramec and will comply with the rules.

Being no further questions or comments, Marc Lopata made a motion to approve per staff recommendations. The motion was seconded by Scott Wilson and unanimously approved by the Board.

MONUMENT SIGN – 130 S. BEMISTON AVENUE

Mr. Joe Natale with Engraphix, sign contractor, was in attendance at the meeting.

Catherine Powers explained that this is a request for the installation of a monument sign at 130 South Bemiston Avenue to be located on the southwest corner of the building at Bemiston and Bonhomme Avenues. The 25 square foot non-illuminated monument sign is square in shape and made of black granite with silver aluminum letters and trim. Landscaping will conceal the concrete pad. Catherine stated that staff believes the design and materials of the sign are of high quality and recommends approval with the following conditions:

1. That landscaping be provided and maintained to conceal the platform; and,
2. That the applicant apply for and receive a sign permit prior to installation.

Chairman Sanger asked if the sign will be illuminated.

Mr. Natale replied “no”.

Steve Lichtenfeld asked if there is limit to the number of names that can be on the sign.

Catherine Powers replied “yes; 5”.

Jim Liberman asked about the address portion of the sign.

Mr. Natale stated that the address is made up of ¼” thick raised letters.

Being no further questions or comments, Jim Liberman made a motion to approve per staff recommendations. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

CITY BUSINESS – DISCUSSION OF REVISED REGULATIONS FOR RESIDENTIAL PROJECTS

Catherine Powers explained that recently, the Board of Aldermen directed the Plan Commission to recommend methods of assuring environmentally friendly development for private development projects. She stated that staff has been researching the following topics relating to this request:

Impervious Coverage:

We have obtained information from communities that utilize Floor Area Ratio (FAR) as a method of regulating building footprint; however, while this reduces the size of actual buildings, it does not address Clayton’s issue of total lot coverage.

Staff is currently discussing the option of reducing impervious coverage to 40% of the site, with incentives for the use of sustainable methods that could earn bonuses up to an additional 10% coverage for total lot coverage up to 50% (a 5% reduction of currently allowed coverage). The policy would provide an incentive for developers to use environmentally friendly materials and methods.

This practice is familiar to residents and developers as it is currently used in the Urban Design Districts, which provide for a 40% base coverage with bonuses earned dependant upon garage placement.

Storm Water Mitigation:

A reduction in impervious coverage will automatically help to mitigate storm water run-off; however, additional methods of mitigation, such as the use of pervious concrete, rain gardens and rain barrels would reduce the quantity of water either flowing from the site or into the storm sewer.

Staff will research how different methods might reduce CFS from the development using the measures established by MSD.

Landscaping

Staff has been working with Land Design Services, the City's contracted landscape architectural firm, to implement a possible point system designed to assure appropriate replacement for large deciduous trees.

Preliminary discussions have focused on retention of the canopy cover and diversity of tree type on the site. This type of change will be more intensive for staff and Land Design and will be more expensive for the applicant, but the trade-off is a custom tree plan that fits each site rather than the "one fits all" regulations currently in place.

LEED Certification

Staff is researching legal methods to assure that if LEED Certification or other sustainable methods are promised, the developer is held accountable for fulfilling that responsibility.

Catherine noted that Cities such as Palo Alto and Atlanta were looked at and that a FAR maximum is okay for larger sites, but the City's primary issue is lot coverage. She indicated that the City has to come up with a point system to determine how one could achieve 50% coverage (a 5% reduction in the current regulations). She noted that an intern, who has an educational background in landscape architecture, will be starting work in the Planning Department on May 27th.

Chairman Sanger stated that he hopes this new system does not create more complications.

She stated that it is not the City's intention to over-complicate things and wants it to be simple for both the developer and City staff and does not want development to decrease due to complicated rules. She stated she hopes to have draft proposals to the Plan Commission for discussion at the July 6th meeting and that staff is requesting any information Plan Commission members may have regarding these subjects.

Chairman Sanger asked if outside influence will be received.

Catherine Powers stated that the July 6th meeting will be informal, but developers will be invited.

Steve Lichtenfeld asked if currently, the City collects \$120 per caliper inch of trees lost on site due to development.

Catherine Powers replied "yes".

Steve Lichtenfeld asked if this practice is common amongst cities.

Catherine Powers stated that very few cities do this.

Steve Lichtenfeld commented that more valuable trees should be worth more.

Jason Jaggi indicated that currently, tree condition is looked at rather than tree species.

Scott Wilson asked if it is known what a tree canopy will look like in the future (i.e. 15 years).

Ron Reim stated that we have seen large trees removed and replaced with a lot of small trees which can result in overcrowding.

Mr. Beyersdorfer indicated that 144 caliper inches of replacement trees were required for 13 Brentmoor Park and many of those replacement trees will not mature and reach full canopy.

Ms. Green asked if the newly planted trees are watched so as to ensure their survivability.

Catherine Powers indicated that most trees do not die within 6 months of planting and that once the final inspection of the building permit is completed, there is no way to enforce the retention of trees (as the City does not have a landscape ordinance to regulate existing trees).

Marc Lopata commented that he has information for the Plan Commission related to this issue.

Catherine Powers asked Marc to e-mail her the information.

Marc Lopata stated that there is a reason we have these problems (i.e. oversized houses). He asked if the City pays the arborist who prepares the landscape plan for Plan Commission approval.

Catherine Powers indicated that the developer/applicant pays for their own landscape plan; the City's landscape architect reviews it.

CITY BUSINESS – REQUEST FOR PROPOSALS – UPDATE OF MASTER PLAN AND RETAIL MARKETING STUDY

Catherine Powers stated that the Business District Master Plan is now over 15 years old. This Plan has served the City well and resulted in a number of initiatives including streetscape, PUDs, residential projects in the Central Business District and Overlay Zones. Much of the Plan and its recommendations remain valid today. However, both the Plan Commission and the Board of Aldermen members have changed since 1993 and were not part of formulating the Plan. Additionally, there are new types of construction and planning practices that were not considered at the time and need to be updated. Finally, the 1993 Plan does not address methods to attract retail to the Central Business area. For these reasons the City is soliciting proposals to update the Central Business District Plan and to provide a new Retail Marketing Study for the City.

Catherine stated that she wanted the Plan Commission to be made aware that this RFP is out there and that the City, so far, has received about 15 requests for the full RFP Packet.

Marc Lopata stated that he encourages the City to hire a local consultant.

Chairman Sanger agreed that there are a lot of reputable local consultants.

Jim Liberman thanked staff for the update.

Craig Owens indicated that the Centene project is progressing.

Chairman Sanger asked about the Conrad Project on North Meramec.

Catherine Powers indicated that the project is “on hold”.

Ron Reim asked about the Hotel Indigo project.

Catherine Powers stated she believes they are waiting for financing.

Ms. Green asked about the Montgomery Bank project.

Chairman Sanger indicated that Montgomery Bank has purchased the entire block, but the City has not received any plans as of yet.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 6:45 p.m.

Recording Secretary